

ARTICLE APPEARED
ON PAGE TV-4

21 MAY 1978

The Nation

In Summary

Spy Verdict Has Hidden Meaning

The espionage conviction last week of a low-level Federal official and a Vietnamese student may strengthen the Government's power to order electronic surveillance of Americans without court permission. Because the case dealt with long-disputed issues of what constitutes vital national secrets, the verdict could also make Government workers think twice before leaking information to Congress or newsmen.

There was no argument that Ronald L. Humphrey and David Truong, who now face life imprisonment, had passed United States documents to Vietnamese. But they insisted — and the jury apparently did not believe it — that the material had nothing to do with national defense and they wanted only to improve the two countries relations.

To obtain the indictments, President Carter and other high officials, on their own, had approved wiretaps and television monitors under "inherent" powers every modern President has claimed in cases of foreign intelligence gathering. Since 1968, court orders have been needed for surveillance in domestic criminal cases. But if last week's verdict is upheld on appeal, it would provide the first judicial sanction of those powers, and thus could threaten the chances of a bill now before Congress that would extend the need for court orders to national security matters.

*file
media
G*